General Assembly

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Sixty-second session
Agenda item 134

Resolution adopted by the General Assembly

[*on the report of the Fifth Committee (A/62/536/Add.1)*]

62/246. Report of the Joint Inspection Unit for 2007 and programme of work for 2008

The General Assembly,

Reaffirming its previous resolutions on the Joint Inspection Unit, in particular resolutions 31/192 of 22 December 1976, 50/233 of 7 June 1996, 54/16 of 29 October 1999, 55/230 of 23 December 2000, 56/245 of 24 December 2001, 57/284 A and B of 20 December 2002, 58/286 of 8 April 2004, 59/267 of 23 December 2004, 60/258 of 8 May 2006, 61/238 of 22 December 2006, 61/260 of 4 April 2007 and 62/226 of 22 December 2007,

Reiterating that the impact of the Unit on the cost-effectiveness of activities within the United Nations system is a shared responsibility of the Member States, the Unit and the secretariats of the participating organizations,

Reaffirming the commitment by the Unit, the legislative organs and the secretariats of the participating organizations to implement a system of follow-up to the recommendations of the Unit, as set out in resolution 54/16,

Reaffirming also the unique role of the Unit as the only system-wide external oversight body,

Having considered the report of the Joint Inspection Unit for 2007 and programme of work for 2008,[1]

1. *Recalls* its resolutions 61/260 and 62/226;

2. *Takes note with appreciation* of the report of the Joint Inspection Unit for 2007 and programme of work for 2008;[1]

3. *Welcomes* the joint presentation of the annual report and the programme of work of the Unit for consideration at the first part of its resumed session;

4. *Also welcomes* progress in the reform process of the Unit, and encourages further efforts on the part of the participating organizations to consider the recommendations of the Unit;

[1] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 34A* (A/62/34/Add.1).

5. *Commends* the Unit for its internal reform process aimed at improving its efficiency and effectiveness, and invites the Unit to report to the General Assembly at its sixty-third session on measures the Unit deems necessary to continue to improve its functioning;

6. *Requests* the Unit, in line with its mandate, to continue to focus its work and reports on system-wide issues of interest and relevance to the participating organizations and the States Members of the United Nations and to provide advice on ways to ensure more efficient and effective use of resources in implementing the mandates of the Organization;

7. *Reiterates its request* to the executive heads of the participating organizations to fully comply with the statutory procedures for consideration of the reports of the Unit, in particular to submit their comments and to distribute reports in time for their consideration by legislative organs;

8. *Requests* the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to expedite the implementation of the present resolution, including through the expected provision of support to the Unit by the secretariats of the participating organizations for the preparation of its reports, notes and confidential letters, and the consideration of and action on the Unit's recommendations in the light of pertinent resolutions of the General Assembly, and to report to the Assembly on an annual basis on the results achieved;

9. *Reiterates its request* to the Secretary-General and the other executive heads of the participating organizations to fully assist the Unit, with the timely provision of all information requested by it;

10. *Reiterates its invitation* to the legislative organs of the participating organizations to take concrete action on the recommendations of the Unit;

11. *Notes with appreciation* the ongoing efforts of the Unit to report on the impact of its recommendations, as illustrated in paragraph 49 of its annual report,[1] and in this context requests the Unit to work in coordination with participating organizations to provide in future annual reports the financial implications that have resulted from its recommendations, wherever possible;

12. *Invites* the Unit to report in the context of its annual reports on experience in the implementation of the follow-up system by the participating organizations;

13. *Notes with appreciation* the introduction of a table for system-wide reports entitled "Overview of action to be taken by participating organizations on Joint Inspection Unit recommendations" which identifies those recommendations that are relevant to each organization and which specifies those recommendations that require legislative decisions and those that can be implemented by the executive head of the organization;

14. *Notes with concern* paragraph 39 of the annual report,[1] in which the Unit describes the difficulty it has had in obtaining from some organizations updated information on the status of its recommendations, and in this regard requests the Unit to study the feasibility of using a web-based system to monitor the status of recommendations and receive updates from individual organizations;

15. *Expresses its readiness* to apply the follow-up system to review recommendations of the Unit requiring action by the General Assembly;

16. *Affirms* that oversight is a shared responsibility of Member States, the organizations and the internal and external oversight bodies;

17. *Recalls* paragraph 9 of its resolution 62/224 of 22 December 2007, and encourages the Secretary-General, in his capacity as Chairman of the Chief Executives Board, to enhance the dialogue of the Board with the Joint Inspection Unit on coordination issues;

18. *Welcomes* the coordination of the Unit with the Board of Auditors and the Office of Internal Oversight Services of the Secretariat, and encourages those bodies to continue sharing experiences, knowledge, best practices and lessons learned with other United Nations audit and oversight bodies as well as with the Independent Audit Advisory Committee;

19. *Takes note with appreciation* of the information contained in paragraph 63 of the annual report,[1] and encourages the Unit to keep the General Assembly informed, if necessary, about any difficulty or delay in obtaining visas for the official travel of the inspectors, as well as members of its secretariat;

20. *Requests* the Unit to provide at its earliest convenience a detailed explanation of the nature and scope of the investigations the Unit envisions conducting.

91st plenary meeting
3 April 2008

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Agenda items 136, 126, 128 and 140

Resolution adopted by the General Assembly

[*on the report of the Fifth Committee (A/62/773)*]

62/247. Strengthening investigations

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994, 54/244 of 23 December 1999, 57/282, section IV, of 20 December 2002, 59/272 of 23 December 2004, 59/287 of 13 April 2005, 61/245 of 22 December 2006, 61/267 B of 24 July 2007, 61/275 and 61/279 of 29 June 2007 and 62/234 of 22 December 2007,

Recalling also paragraph 10 of its resolution 59/287,

Having considered the report of the Secretary-General on strengthening investigations,[1] the report of the Office of Internal Oversight Services on the activities of the Procurement Task Force for the eighteen-month period ended 30 June 2007,[2] the note by the Secretary-General transmitting his comments thereon[3] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[4]

1. *Takes note* of the report of the Office of Internal Oversight Services[2] and the related note by the Secretary-General;[3]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[4] subject to the provisions of the present resolution;

3. *Notes in particular* the concern of the Advisory Committee stated in paragraph 5 of its report;

4. *Stresses* that the lack of explicitly written rules and regulations for procedures relating to investigations negatively affects fairness and due process rights;

5. *Expresses concern* that the current investigations manual of the Office of Internal Oversight Services of the Secretariat appears to lack useful and practical

[1] A/62/582 and Corr.1.

[2] A/62/272.

[3] A/62/272/Add.1.

[4] A/62/7/Add.35. For the final text, see *Official Records of the General Assembly, Sixty-second Session, Supplement No. 7A*.

information for investigators compared with similar manuals used in other international organizations and that it also appears not to contain sufficient working instructions for conducting investigations;

6. *Notes with appreciation* the efforts being made by the Office of Internal Oversight Services to improve the conduct of its investigations by applying international best practices and ensuring respect for the due process rights of all United Nations staff;

7. *Affirms* that transparent, predictable, accountable and objective operational strategies and investigation procedures contribute to the effective functioning of the system of administration of justice;

8. *Notes with concern* that concerns have been raised regarding due process rights in investigations, stresses that the due process rights afforded to staff in investigations carried out by the Office of Internal Oversight Services have to withstand review by the system of administration of justice, and reiterates its request to the Secretary-General to develop a comprehensive approach to fully undertake the Organization's responsibility in ensuring the due process rights of its staff under investigation;

9. *Re-emphasizes* the principle of separation, impartiality and fairness on the part of those with responsibility for investigation functions;

10. *Stresses* that the purpose of the Office of Internal Oversight Services is to assist the Secretary-General in fulfilling his internal oversight responsibilities;

11. *Reaffirms* that the Office of Internal Oversight Services is the internal body entrusted with investigation in the United Nations;

12. *Also reaffirms* that trained heads of offices, programme managers and boards of inquiry, as well as the Department of Safety and Security and the Ethics Office, may carry out administrative inquiries and investigations, except in cases of serious misconduct and/or criminal behaviour, in accordance with resolution 59/287;

13. *Takes note* of the development of a comprehensive training module designed to build the capacity of United Nations staff to support administrative inquiries or investigations, as well as of a special training programme for investigating allegations of sexual harassment, by the Office of Internal Oversight Services;

14. *Recalls* paragraphs 3, 8 and 10 of its resolution 59/287, and requests the Secretary-General to continue to increase basic investigation training, as appropriate, for the handling of minor forms of misconduct;

15. *Reaffirms its decision* that in cases of serious misconduct and/or criminal behaviour, investigations should be conducted by professional investigators;

16. *Reaffirms* that any changes that have administrative and financial implications will be submitted by the Secretary-General and will be subject to the review and approval of the General Assembly in accordance with established procedures;

17. *Requests* the Secretary-General to prepare, in close cooperation with the Office of Internal Oversight Services, for its consideration at its sixty-third session, a report providing detailed information regarding, inter alia:

(*a*) The status of implementation of its resolution 59/287;

(*b*) Updated and detailed information on all the entities other than the Office of Internal Oversight Services carrying out administrative inquiries and investigations, their legislative basis and precise role, the number and types of cases handled, related resources, reporting mechanisms, standards and guidelines involved and training imparted;

(*c*) The status of work done under general temporary assistance resources equivalent to six positions to establish a training capacity for the Investigations Division to enable programme managers to handle category II cases of misconduct[5] and the assessment of such work and any other related work carried out for the same purpose, as well as the future workplan thereof;

18. *Also requests* the Secretary-General to prepare for its consideration and approval, in close cooperation with the Office of Internal Oversight Services, a report providing detailed information on terms of reference with regard to the proposed comprehensive review of investigations in the United Nations before the General Assembly decides on the necessity of such a review, taking into account the role and mandate of the Office of Internal Oversight Services as established in its resolution 48/218 B, the framework for investigation adopted in section IV of its resolution 57/282 and in its resolution 59/287, the reform of the system of administration of justice, the decisions of the Assembly to strengthen the investigation function of the Office of Internal Oversight Services and its decisions on the accountability framework, results-based management, enterprise risk management and the internal control framework;

19. *Further requests* the Secretary-General to report to the General Assembly on practices related to the sharing of information between the Organization and law enforcement authorities of Member States as well as to referrals to such authorities of possible criminal cases related to United Nations staff, United Nations officials and experts on mission, taking into account its resolution 62/63 of 6 December 2007 and other relevant legal instruments.

91st plenary meeting
3 April 2008

[5] See A/58/708, para. 27.

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Resolution adopted by the General Assembly

[*on the report of the Fifth Committee (A/62/772)*]

62/248. Human resources management

The General Assembly,

Recalling its resolutions 59/266 of 23 December 2004, 61/244 of 22 December 2006, section VIII of its resolution 61/276 of 29 June 2007 and section XXI of its resolution 62/238 of 22 December 2007, as well as its other relevant resolutions and decisions,

Having considered the reports of the Secretary-General on the staffing of field missions, including the use of 300- and 100-series appointments,[1] on detailed proposals for streamlining United Nations contractual arrangements[2] and on the harmonization of conditions of service,[3] the addendum to the report of the International Civil Service Commission for the year 2006[4] and section II of the report of the Advisory Committee on Administrative and Budgetary Questions,[5]

1. *Takes note* of the reports of the Secretary-General on the staffing of field missions, including the use of 300- and 100-series appointments,[1] on detailed proposals for streamlining United Nations contractual arrangements[2] and on the harmonization of conditions of service;[3]

2. *Decides* to continue consideration of the issue of contractual arrangements and conditions of service, including in United Nations field operations, as a matter of priority at the main part of its sixty-third session, taking into account the conclusions and recommendations contained in section II of the report of the Advisory Committee on Administrative and Budgetary Questions,[5] with a view to the implementation of new arrangements and conditions on 1 July 2009.

91st plenary meeting
3 April 2008

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[1] A/61/732.

[2] A/62/274.

[3] A/61/861.

[4] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 30*, addendum (A/61/30/Add.1).

[5] A/62/7/Add.14. For the final text, see *Official Records of the General Assembly, Sixty-second Session, Supplement No. 7A*.